

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MERRILL LYNCH BUSINESS FINANCIAL
SERVICES INC.,

Plaintiff,

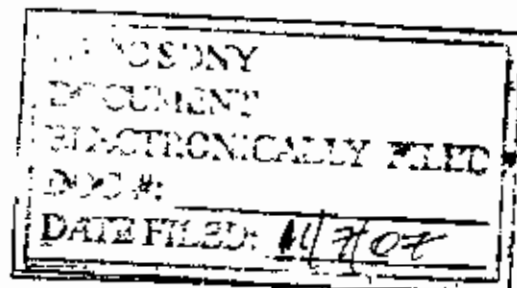
-against-

J.S. SUAREZ, INC., RAMONA SUAREZ, MATTHEW
SUAREZ, and "JOHN DOE #1" THROUGH
"JOHN DOE #12 the last twelve names being fictitious
and unknown To plaintiff, being persons having or
claiming an interest in or lien upon the chattel described
in the complaint,

Defendants.

JUDGE BUCHWALD
07 CIV 9728

ORDER TO SHOW CAUSE



Upon the Declaration of Daniel J. Downs, sworn to October 31, 2007, it is

ORDERED, that defendant J.S. Suarez, Inc. or its attorney show cause before this Court,
at Room 211 United States Courthouse, 500 Pearl Street, New York, NY 10007, on the 13 day of
November, 2007, at 9:45 a.m./p.m., or as soon thereafter as counsel may be heard, why (a) an
order of seizure should not be issued herein, pursuant to FRCP Rule 64 and NY CPLR § 7102,
directing the Sheriff, or a US Marshall, to seize the Collateral, as defined and described in the
aforesaid declaration, to wit, accounts, chattel paper, contract rights, inventory, equipment, deposit
accounts, documents, instruments, investment property and financial assets, wherever located, and
all the proceeds thereof of J.S. Suarez, Inc., and (b) an order should not be issued herein, pursuant
to FRCP Rule 26(d) and NY CPLR § 7112, scheduling the deposition of one of J.S. Suarez, Inc.'s
principals, Ramona Suarez or Matthew Suarez, for the purpose of determining the whereabouts of
the Collateral; and it is further,

✓ **ORDERED**, that service of a copy of this order, and all supporting papers thereof, be served, on or before the 6th day of November 2007, shall be deemed good and sufficient notice hereof. *and it is further*

✓ Dated: New York, New York
November 2, 2007

Ramona L. Howard
United States District Judge

ORDERED That any papers submitted in opposition to the requested relief be served and delivered in hand to plaintiff's counsel *MLB* and the Court in chambers no later than 9:30 am. on November 14, 2007.